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12 January 2005

Ms. Beth A. O'Donnell  
Executive Director  
KY Public Service Commission  
P. O. Box 615  
Frankfort, KY 40602

Case 2005-00033

RECEIVED

JAN 19 2005

PUBLIC SERVICE  
COMMISSION

Re: Bath County Water District - Public Service Commission  
Application for a Water Storage Tank Construction Project  
Contract No. 3 - Coal Development Phase

Dear Ms. O'Donnell:

Enclosed please find the original and ten (10) copies of the Application of the Bath County Water District for a Certificate of Public Convenience and Necessity to construct a water storage tank and booster station pursuant to KRS Chapter 278.

Also enclosed are eleven (11) copies of the required exhibits and two (2) copies of the plans and specifications, as prepared by Tetra Tech, Inc., the engineers for the District.

If you need any additional information or documentation, please let us know.

Sincerely,



Earl Rogers III  
Attorney at Law

msa

c: file

Jeanette Walton, Manager, BCWD  
Teresa Shields, GADD  
Jim Thompson, Project Manager, O'Brien & Gere

RECEIVED

JAN 19 2005

PUBLIC SERVICE  
COMMISSION

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF BATH COUNTY WATER )  
DISTRICT FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT ) CASE NO. 2005-00033  
AN IMPROVEMENT PROJECT PURSUANT TO KRS )  
278.020 )

APPLICATION

The Bath County Water District (the "District"), by counsel, pursuant to KRS 278.020, petitions the Commission for a certificate of public convenience and necessity to construct a waterworks improvement project. The following information is filed in accordance with the Commission's regulations:

1. The District's office address is 21 Church Street, PO Box 369, Salt Lick, KY 40371. Its principal officers are listed in its 2003 Annual Report, which is on file with the Commission and is incorporated herein by reference pursuant to 807 KAR 5:001 Section (5)(5).

2. The District is a non-profit water district organized under KRS Chapter 74 and has no separate articles of incorporation or by-laws.

3. A description of the District's water system and its property stated at original cost by accounts is contained in its 2003 Annual Report. All required normal financial schedules and other data are in the 2003 Annual Report.

4. The water system improvement project consists of the construction of a water storage tank and pump station in the Means area of Menifee County. The pump station design was included in the application for a Certificate of Public Convenience and Necessity filed with the Public Service Commission in April 2004, Case No. 2004-00143. The pump station however, was not constructed at the time of the other improvements approved by the PSC in Case No. 2004-00143.

5. The total project cost is approximately \$431,874 as set forth in the final project budget (see **Exhibit "A"** attached hereto).

6. The District has obtained all easements and rights of way required for the project.

7. This service will not compete with any other utility in the area.

8. Based on these facts, the District believes that it is in the public interest that this certificate of public convenience and necessity is granted.

9. Copies of the preliminary engineering and final engineering reports, which contains project maps and certified bid tabulations, are attached as **Exhibit "B"**.

10. The following information is provided in response to 807 KAR 5:001 Section (8)(3).

a. Articles of Incorporation – None, the District is a statutorily created water district under KRS Chapter 74.

11. The following information is supplied to 807 KAR 5:001 Section (9)(2).

a. Facts relied upon to show that the project is in the public interest. The new storage tank and pump station will improve operating pressure in the existing system and enable the District to extend service to customers along Clay Lick and Potterville Roads.

b. No new franchises are required. Copies of the necessary permits are attached hereto as **"Exhibit "C"**.

c. Diagrams of the proposed construction and construction specifications are contained in the Plans and Specifications on file with the Commission.

d. Three (3) maps of suitable scale showing the location of the proposed facilities are filed with this Application.

e. The construction costs will be funded by Coal Development funds. The District is not borrowing any funds in connection with the project.

f. The estimated cost of operation of the system after construction is completed is attached hereto as **"Exhibit D"**.

**WHEREFORE**, the Applicant, Bath County Water District requests that the Public Service Commission of Kentucky grant to the Applicant a Certificate of Public Convenience and Necessity permitting the Applicant to construct the Water System Expansion Project – Contract 3 project.

Bath County Water District

By: Mitchell Brooks  
Chairman

Campbell, Rogers, Blair & Assoc.

By: Earl Rogers, III  
Earl Rogers, III  
154 Flemingsburg Road  
Morehead KY 40351-1556

